

December 1, 2015  
Antelope County Board  
Neligh, Nebraska

The Antelope County Board of Supervisors convened in regular session on Tuesday, December 1, 2015 at 9:001 AM in the County Supervisor’s Room, Antelope County Courthouse Annex, Neligh, Nebraska. Meeting was called to order by Chairman Schwager, with the following board members responding to roll call: Kerkman, Schindler, Koinzan, Williby, Henery, Bolling and Schwager. Chairman Schwager stated that the open meeting laws are posted on the east wall of the Supervisors’ room with more copies available at the County Clerk’s Office.

Notice of the meeting was given in advance thereof by publication in the four county newspapers, legal newspapers printed and in general circulation in Antelope County, Nebraska as shown by proof of publication filed in the County Clerk’s office. Agenda for said meeting was sent to all members of the County Board of Supervisors.

Correspondence was reviewed: Email from Georgia Parment of TransCanada regarding future action of TransCanada; Sequoia Consulting Group 5<sup>th</sup> Anniversary letter – booth at convention; Email from Scott Japp regarding legislative session regarding NRD’s; NACO Benefit Services regarding AllClear Secure identity repair and credit monitoring (on 12/08/2015 agenda; John Deere letter regarding automatic ether aid injection; Letter from Roger E Glawatz regarding 2016 NACO secretary election; Letter form NDOR regarding STIP consultation process (discussed with Brian McDonald – will forward a copy to him and he will get back to us); NDOR Past Due Bridge Inspection – Neligh D & 1<sup>st</sup>; Berggren Architects invitations for Supervisors to the luncheon on December 10, 2015 at conference. Approval letter from DEQ regarding Thiele Dairy Feeding Operations;

Discussion held on Howard Construction bill. Supervisors advised to get more information before claim is paid.

3 Warrants signed by Chairman Schwager, Supervisor Schwager signed John Hruby’s Employee Manual receipt verification.

Motion by Schindler, seconded by Williby to approve the application for permit submitted by Merlin Bolling to place a permanent electric line beneath hard surface 846<sup>th</sup> Road crossing at the SE1/4 of Section 35, Township 25 North, Range 8 West of the 6<sup>th</sup> P.M., Antelope County, Nebraska, Merlin Bolling – owner, Boyd’s Electric – contractor; said electric line to power irrigation well motor; all work to be done according to State and County Specs. Those voting aye: Koinzan, Kerkman, Schindler, Williby, Henery and Schwager. Nays none. Bolling abstained. Motion carried.

Supervisor Bolling discussed with the board regarding Source Gas boring under a road with no permit on hand. He wanted to know what we could do. Discussion held. Move to agenda for December 8, 2015.

Permit to move structure from Scribbs moving. Structure will be moved from section 23, Township 25, Range 8 to Pierce County. 848.5<sup>th</sup> Road to 848<sup>th</sup> Road to Highway 14 to 854<sup>th</sup> Road (Pierce-Neligh Road). Plan is to move structure the week of December 7<sup>th</sup>, 2015. Motion was made by Henery, seconded by Kerkman to approve permit for moving structure. Voting aye Henery, Kerkman, Koinzan, Schindler, Williby, Bolling and Schwager. Nays none. Motion carried.

Chairman Schwager opened the Board of Equalization meeting at 9:30 AM. Responding to roll call: Kerkman, Koinzan, Bolling, Henery, Williby, Schindler, and Schwager. Stated the open meetings law was posted and a copy was available at the County Clerk’s Office. Publication of the meeting was made in the four county newspaper as required by statute. County Assessor, Kelly Mueller met with the Supervisors to review the following proposed Tax List Corrections. Reviewed and approved eleven (11) tax list corrections.

#1	Stacey Klabenes	Parcel # 991288 personal property filed for 2013, not filed previously.			
		Previous Value	\$ 00.00	Previous Taxes	\$ 00.00
		Current Value	\$ 2733.00	Current Taxes	\$ 82.02
#2	Stacey Klabenes	Parcel # 991288 personal property filed for 2014, not filed previously.			
		Previous Value	\$ 00.00	Previous Taxes	\$ 00.00
		Current Value	\$ 47,686.00	Current Taxes	\$ 1297.38
#3	Stacey Klabenes	Parcel # 991288 Personal Property filed for 2015, not filed previously.			
		Previous Value	\$ 00.00	Previous Taxes	\$ 00.00
		Current Value	\$ 77,361.00	Current Taxes	\$ 1911.48
#4	Alan Bentley	Parcel # 991002 personal property filed for 2013, is Knox County property.			
		Previous Value	\$ 11,026	Previous Taxes	\$ 163.48
		Current Value	\$ 00.00	Current Taxes	\$ 00.00
#5	Darold & Barb Murray	Parcel # 838 Homestead corrected by state percentage approved changed 55% for 2013.			
		Previous Value	\$ 71,225.00	Previous Taxes	\$ 214.00
		Current Value	\$ 71,225.00	Current Taxes	\$ 880.98
#6	Rosa Munguia	Parcel # 8003. Mobile home was moved out of Antelope County in 2013, should not have been taxed 2014.			
		Previous Value	\$ 495.00	Previous Taxes	\$ 10.42
		Current Value	\$ 0.00	Current Taxes	\$ 00.00
#7	Rosa Munguia	Parcel # 8003. Mobile home was moved out of Antelope County in 2013, should not have been taxed 2015.			
		Previous Value	\$ 495.00	Previous Taxes	\$ 9.32
		Current Value	\$ 0.00	Current Taxes	\$ 00.00
#8	Jarrell Knievel	Parcel # 991681. Corrected the correction of the PP filing 2013-corrected the tax district and value.			
		Previous Value	\$ 78,559.00	Previous Taxes	\$ 2357.68
		Current Value	\$ 76,048.00	Current Taxes	\$ 1286.80
#9	Jarrell Knievel	Parcel # 991681. Corrected the correction of the PP filing 2014-corrected the tax district and value.			
		Previous Value	\$ 81,894.00	Previous Taxes	\$ 2228.08
		Current Value	\$ 80,330.00	Current Taxes	\$ 1018.34
#10	Josephine Hansen	Parcel # 8005. Year 2012 disappeared in 2013 and wasn’t corrected at the time, put year 2012 back in.			
		Previous Value	\$ 00.00	Previous Taxes	\$ 00.00
		Current Value	\$ 22,675.00	Current Taxes	\$ 560.88
#11	Ruby Williamson	Parcel # 920817 Personal Property Correction, pivot is located in Holt County.			
		Previous Value	\$ 68,638.00	Previous Taxes	\$ 650.36
		Current Value	\$ 36,138.00	Current Taxes	\$ 342.42

Discussion was held. Motion was made by Henery, seconded by Bolling to accept the preceding eleven (11) tax list corrections. Voting aye: Henery, Kerkman, Koinzan, Williby, Schindler, Bolling and Schwager. Nays none. Motion carried.

Motion was made by Henery, seconded by Williby to go out of board of equalization and resume regular session. Voting aye: Henery, Kerkman, Koinzan, Williby, Schindler, Bolling and Schwager. Nays none. Motion carried.

Discussion held on Deputy Officials currently on salary receiving payment in advance of hours worked. It was recently brought to our attention this is not in compliance with Fair Labor Standard practices. Currently, hours worked in excess of the normal 40 hour week are to be paid at the same time employees are paid for the regular hourly pay. Paying in advance does not allow the county this option. This is also listed as a deficit in the audit draft of 2015. During recent visits with Pam Bourne of NIRMA Insurance it was discussed to somehow get this back on track. The county clerk has visited with the officials involved (County Assessor, County Treasurer, and Clerk of the District Court and their deputies). A fix that was discussed was having employees go one (1) month without a paycheck, which may cause a hardship on these employees. Mrs. Bourne suggested a possible two (2) day pay break for 11 months. Meaning the county would not pay these deputy officials for 15 hours (currently, courthouse employees work seven and a half (7.5) hour days), every month for the months of January – November 2016. This would alleviate 22 days, which would constitute a complete month. The county would take these employees from salary to hourly, working the hourly wage to fit the 72% of Officials Salary that the deputies currently earn. Discussion held. Motion was made by Supervisor Henery, seconded by Supervisor Williby to have the County Clerk withhold the 15 hours from the 3 deputy officials involved for the months of January through November 2016. A full month of wages for November will be paid in December 2016. Voting aye: Bolling, Koinzan, Kerkman, Schindler, Williby, Henery and Schwager. Nays none. Motion carried.

Clerk Payne shared with Supervisors a budget error that was brought to her attention. Transfers in and transfers out have to match, and on the distribution report these totals did not match. This was corrected and resubmitted to the State Auditor. There were no changes greater than 1%, and a public hearing is not in order.

Brian McDonald, Highway Superintendent was present to discuss with the Supervisors regarding the NDOR Bridge inspections. The bridge in question is the bridge in the Neligh City Limits on 1<sup>st</sup> and D Streets. The bridge currently needs replaced. Discussion held. It was discussed if any responsibility lied with the City since the bridge is located inside the city limits. Discussion followed. There are approximately 6-7 bridges in Antelope County that are currently in city or village limits. The supervisors requested to talk with the Cities of Neligh and Tilden and the Village of Oakdale to request if they had any insight in to the inspections and paying for the engineer to inspect them. The inspections are \$135.00 a bridge, and need to be completed by a certified bridge inspector. The county is looking at sending the cost to the city/village or at least sharing this cost. Clerk is to email, and send a request for ideas. It is on the agenda for December 8, 2015 meeting. The county currently has 70 bridges to inspect this year, and there are 50 more to be inspected next year. Two-thirds (2/3) of the bridges need to be inspected. Motion was made by Supervisor Bolling, seconded by Supervisor Henery to approve Highway Superintendent inspect these bridges, except for any bridges within municipalities. Voting aye: Koinzan, Henery, Kerkman, Williby, Schindler, Bolling and Schwager. Nays none. Motion carried. Brian McDonald also shared with the Supervisors and culverts greater than 20 feet are bridges.

Brian McDonald met with the supervisors regarding the One and Six Year Road Program. Brian handed out the current projects on the One and Six Year road program to have the Supervisors review and make sure all of the future projects are listed, any projects that were completed come off and add new projects that might have come up. Supervisor Koinzan, asked to make sure the Hales-Kerkman Bridge is part of the plan. Supervisors are to continue to review and to get back to him with new and or possible projects.

Prairie Breeze I and Invenergy is wondering if Antelope County would release the Bond currently in place regarding the road agreement with the first phase of the Wind Energy project. Supervisor Schwager has been talking with Marlin Conry of Invenergy, Brian McDonald, Highway Superintendent, and Joe Abler, County Attorney regarding this. County Attorney, Joe Abler recommended to make sure all of the work is complete and the roads are up to standards. Brian McDonald agreed the work has been complete and he thought it would be advisable to release the Bond on phase one at this time. Discussion of the project and roads continued. Highway Superintendent, Brian McDonald and Supervisor Kerkman agreed all work is complete. Motion was made by Supervisor Kerkman, seconded by Supervisor Williby to release Prairie Breeze 1 Road Bond. Voting aye: Bolling, Koinzan, Kerkman, Schindler, Williby, Henery and Schwager. Nays none. Motion carried.

Discussion regarding the cash settlement offered by Invenergy to help with repairs and maintenance of 526<sup>th</sup> Avenue. Currently, the mile that Invenergy is maintaining is very limitedly traveled and another part of the road is currently heavily traveled by Invenergy personnel, and equipment. The pavement is distressed and changes are occurring. Antelope County and Invenergy have been in negotiations to swap maintenance agreements, and Invenergy has recently, entertained the idea of doing a cash payout to have Antelope County maintain the road, and to help with costs. Marlin Conry, Invenergy is considering a repair of the holes and doing a four (4) inch overlay of cement, and heavier per mile on patching. A similar project would be 837<sup>th</sup> Road when they repaired it. If patching like that is required it will need a four (4) inch overlay. Brian McDonald estimates the cost to be between \$300,000.00 to 400,000.00. Marlin Conry, with Invenergy said he would have another cost analysis by their engineer completed. Overall, the supervisors agreed the Invenergy/Prairie Breeze roads were in good repair. Mr. Conry, requested tabling the item and discussion and the will have the engineer complete another project estimate; they would probably not do any construction at this time and probably not till next spring. Marlin stated he probably would not get a hard quote.

Rutjens Construction bill for gravel on township was given to Marlin Conry, from Invenergy for payment.

Mr. Conry requested the release of some roads from the Prairie Breeze Road Agreement. If the road updates are complete, the road could be released. Brian McDonald and the Supervisors were in agreement. No roads will be released until Brian inspects them and gives an OK before they are released. If this is going to be done, it would be a mile by mile situation, and not as a whole.

Highway Superintendent, Brian McDonald reported on the Box Culvert on the Oakdale Bridge was poured, and in place. Some back filling and finish work still needs to be completed. Next spring will be erosion prevention etc. Some erosion will happen with rains and snow thaw before then. All to be taken care of next spring.

At the Auditors draft they had addressed Board Policies regarding fees in the individual offices. The county weed department, brought in there board minutes from Monday, November 30, 2015 were they had established policies for the weed spraying and markup on the spray. Discussion followed. County Attorney, Joe Abler asked for a hold on this measure as he wanted to research the fee statutes and will get back to the board. The county clerk had asked for some help establishing the policy to set fees for her office. The fees for plat maps, permit fees etc. all have to be set by a resolution/policy.

Receipts were reviewed. Fund transfer from General to Law Enforcement Center \$6105.00 (amount deposited in September before budget approved). \$85.88 to Diversion Fund from Madison County for November payroll. \$45.00 to Diversion Fund from Madison County for October payroll.

Clerk Payne visited with the board about:

- Mileage reimbursement is now part of the payroll system and will be direct deposited with their payroll.
- The Motor fuel use tax which was not filed or paid in a timely manner as reported last month had been partially abated. The total penalty was \$308.00 and \$233.00 was abated with a remaining penalty of \$75.00. The abatement will be a credit at the department of fuels.
- The Annual Christmas Dinner Potluck for the Courthouse employees was discussed. It is planned for next Tuesday, December 8, 2015 at noon. Supervisors agreed reimburse Marlene Schindler for the turkey and ham. Potluck dishes will be provided by employees.

- KARR Tuckpointing. The contract for the tuckpointing work on the old courthouse has been signed and is on file. The plan is for next spring/summer for work to be completed.
- Supervisor Henery had requested the County Clerk to bill Nebraska Public Power District for overlaying in front of the new Antelope County Transmission Plant. The agreement was to split the cost between Antelope County and NPPD equal. The total cost was \$5000.00 and a statement was sent to NPPD, and they returned a check for the full amount, and the county clerk returned the check, and is now awaiting a new check.
- NIRMA MSHA annual training was performed on November 13, 2015. With this training CPR was completed. A statement will be sent through the claims process. CPR certification cards were forwarded and will be distributed.

Motion was made by Williby, seconded by Bolling approve minutes of October 6, 2015, October 13<sup>th</sup>, 2015, November 3, 2015, November 10, 2015 along with Zoning Regulation Hearing Proceedings on October 6, 2015 as presented. Voting aye Bolling, Koinzan, Kerkman, Schindler, Williby, Henery and Schwager. Nays none. Motion carried.

Discussion held on Belly Dump Truck. Supervisor Schwager shared with the supervisors he has a list of specs, but forgot them at home. Supervisor Bolling made a motion to put Bids out, motion was seconded by Schindler. Voting aye: Bolling, Schindler, Williby, Henery, Koinzan, Kerkman, and Schwager. Nays none. Motion carried. Supervisor Schwager will bring in specs next week, and we will advertise at that point.

Road Boss position and hiring was discussed. We discussed the pros and cons of hiring, and/or advertising again for the position. Because the position had been advertised twice already the general thought was it was not advantageous to advertise as the same results will probably occur. Supervisor Koinzan mentioned the possibility of hiring a consulting firm and letting them conduct the search. Discussion held whether the applicants were qualified for what Antelope County is looking for. County Attorney, Joe Abler suggested the Supervisor figure out what they wanted to insure a good decision was made. If they wanted to hire a road superintendent, they should have advertised for a road superintendent. However, the advertisement read for Road Boss. After a lengthy discussion, Supervisor Koinzan made a motion, to Hire Casey Dittrich with a one year stipulation and low ball his wage, with the intent he will attain all necessary education and certifications. More discussion followed regarding one year or six months. If they did not like the performance they could dismiss him. Motion was seconded by Supervisor Kerkman. Discussion followed about his lack of equipment knowledge and equipment performance. Voting aye: Koinzan, Kerkman, Schindler, and Bolling. Voting nay: Williby, Henery and Schwager. Motion passed.

Motion was made by Williby, seconded by Henery to adjourn. Voting aye: Bolling, Kerkman, Schindler, Henery, Williby, Brandt and Schwager. Nays none. Motion passed.

Meeting adjourned at 11:20 AM.

ANTELOPE COUNTY BOARD OF SUPERVISORS

By: \_\_\_\_\_  
Chairman of the Board, Jerald Schwager

Attest: \_\_\_\_\_  
County Clerk, Lisa Payne